## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:14CV114-RLV

JAMAL H. KASO,	)	
Plaintiff,	)	
	)	
v.	)	
	)	<u>ORDER</u>
	)	
CAROLYN W. COLVIN,	)	
<b>Acting Commissioner, Social</b>	)	
Security Administration,	)	
Defendant.	)	
	)	

**THIS MATTER** is before the Court upon the Plaintiff's Application To Proceed In District Court Without Prepaying Fees Or Cost, filed May 5, 2014.

By the Application, the Plaintiff seeks to proceed on his Complaint against the Defendant to establish for himself entitlement to Social Security Disability and Disability Insurance Benefits and Supplemental Security Income as provided by 42 U.S. C. § 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), without having to prepay the costs associated with bringing this action.

The matter was heard before an Administrative Law Judge who ruled that the Plaintiff was not entitled to Disability and Disability Insurance Benefits and Supplemental Security Income prior to September 26, 2012. Further on March 6, 2014 a subsequent denial of the Plaintiff's request was issued by the Appeals Council. Consequently, the Plaintiff has now exhausted all administrative remedies prior to filing his Application to this Court.

The Application represents that the Plaintiff is currently not working. However, the Application reports that the Plaintiff receives \$702 a month for disability and receives public

assistance of \$171 per month. Further, the Application states that the Plaintiff has a checking account at PNC Bank that has a balance of \$3,350 in the account. Furthermore, the Application represents that the Plaintiff does not have any assets of any value. Moreover, regarding the Plaintiff's monthly expenses; such as, shelter, utilities, food, clothing, medical and transportation, the Application shows that Plaintiff has monthly expenses in the amount of \$870.

The Court has reviewed the Application and based upon the foregoing representations, the Court finds that the Plaintiff does have sufficient resources from which to pay the \$400.00 filing fee associated with bringing this action. Hence, Plaintiff's Application To Proceed Without Prepayment of Fees And Affidavit is <u>denied</u>.

## NOW, THEREFORE, IT IS ORDERED:

- That the Plaintiff's Application to Proceed Without Prepayment Of Fees is
  DENIED.
- 2. That within thirty (30) days of the date of this Order, the Plaintiff shall remit the filing fee of \$400.00. Failure to comply with the instant directive could result in the summary dismissal of the Plaintiff's case.

Signed: May 21, 2014

Richard L. Voorhees United States District Judge